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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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9 DANNIE RAY HILLHOUSE, No. CIV S-03-0142-MCE-CMK  
10 Petitioner, DEATH PENALTY CASE  
11 vs. ORDER  
12 ROBERT L. AYERS, JR.,  
13 Respondent.

14 \_\_\_\_\_ /  
15 Petitioner, a state prisoner proceeding with appointed counsel, seeks a writ of  
16 habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's counsel's  
17 request to amend the Phase II budget for this case. The court hereby sets a telephonic ex parte  
18 hearing to discuss the request, with petitioner's counsel only, on February 13, 2008, at 1:30 p.m.

19 IT IS SO ORDERED.

20  
21 DATED: January 30, 2008

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23 **CRAIG M. KELLISON**  
24 UNITED STATES MAGISTRATE JUDGE  
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